

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

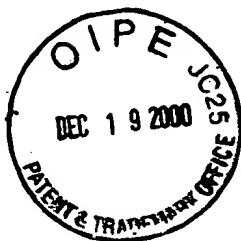
Attorney Docket No. 99CV02

Applicant:
Crescenti, et al.

Serial No. 09/610,738

Filed: July 6, 2000

For: Modular Backup and Retrieval
System Used in Conjunction
With a Storage Area Network



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Group Art Unit: 2900

Examiner: Unassigned

CERTIFICATE OF MAILING

Pursuant to 37 C.F.R. Sec. 1.8, I hereby certify that this paper is being deposited with the United States Postal Service, as first class mail, in an envelope addressed to: Box: Non-Fee Amendment, Commissioner of Patents and Trademarks, Washington, D.C. 20231, on November 2, 2000.

Jurise A. Penty
Person Mailing

TRANSMITTAL LETTER

Box Non-Fee Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In regards to the above identified application:

1. We are transmitting herewith the following.
 - a. Preliminary Amendment (3 pp.); and
 - b. Return Postcard
2. With respect to additional fees:
 - a. No fees are believed to be due at this time.
 - b. Please charge any other fees that may be due or credit any overpayments to the Deposit Account of the Akin, Gump, Strauss, Hauer & Feld, L.L.P., Account No. 01-0660.

Respectfully submitted,

Date: November 2, 2000

Russell C. Scott
Russell C. Scott
Reg No. 43,103

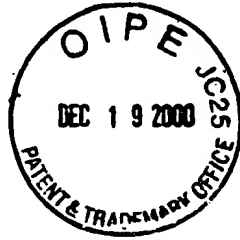
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TC 2100 MAILROOM

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Lurida A. Penty
Person Mailing

PRELIMINARY AMENDMENT

Box Non-Fee Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is a preliminary amendment for U.S. Patent Application Serial No. 09/610,738, filed July 6, 2000. Please enter the following amendments:

In the Specification:

Please amend the specification as follows:

On page 2, after the section entitled "SPECIFICATION," please replace the two subsections entitled, respectively "Cross-References To Related Applications" and "Incorporation By Reference" with the following single section:

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--Cross-Reference To Related Applications

This application is based on and claims the benefit of U.S. Provisional Patent Application Serial Nos. 60/143,743, filed July 14,1999, 60/143,744, filed July 14,1999, and 60/179,345, filed January 31, 2000. U.S. Provisional Application Serial Nos. 60/143,744 and 60/179,345 are hereby incorporated herein by reference in their entireties.--

Remarks

The above amendments were made to correct the cross-reference section of the present application. A Notice of Allowance is courteously solicited. If any impediment to the allowance of these claims remains after entry of this Preliminary Amendment, and such impediment could be alleviated during a telephone interview, the Examiner is invited to telephone the undersigned so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

Date: November 2, 2000

A handwritten signature in dark ink, appearing to read "Russell C. Scott", written over a horizontal line.

By: Russell C. Scott

Reg. No.: 43,103

ATTORNEY FOR APPLICANT

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